

# INSTRUCTIONS FOR COMPLETING PROPERTY OFFENSE WORKSHEETS

## Worksheet # 1 - PROPERTY PRISON IN/OUT WORKSHEET

1. **Most Serious Conviction Offense** - The scorer should select only the most serious offense being sentenced at the current sentencing event. Where two or more offenses have the same score, please circle the specific offense scored as the most serious conviction offense on this worksheet. (See General Instructions.)
2. **Number of Prior Adult Felony Convictions** - Count all prior felony convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
3. **Number of Prior Adult Convictions for Same Felony** - Count all prior felony convictions for the same offense that occurred prior to the arrest date of the most serious offense being sentenced at the current sentencing event. Only count those offenses where the crime and the degree are identical to the current offense. For instance, if the current most serious offense is Burglary I, then a prior Burglary II or III conviction would not be scored.
4. **Number of Prior Adult Convictions for Misdemeanors or Violations** - Count all prior criminal convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event. Traffic convictions do not count except: Driving Under the Influence, Boating Under the Influence, Leaving the Scene of an Accident, Attempting to Elude Law Enforcement, Driving without a License and Driving While License is Suspended or Revoked.
5. **Prior Incarceration with Sentence Imposed of 1 Year or More** - Count prior prison, jail or Department of Corrections/community corrections sentences where the non-suspended time imposed was one year or greater. Count only sentences that occurred prior to the arrest date(s) of the offense(s) being sentenced.

Notes: This should be counted each time a person enters the prison system, whether or not the person actually *serves* at least a year. As long as the non-suspended portion of the sentence was one year or longer at the time of admission, this should be counted.

This factor is not cumulative. For instance, if a defendant was sentenced to serve two separate non-suspended six month sentences, they should not be counted here. Only count those sentences where the non-suspended time imposed at one sentencing event was at least one year.

6. **Prior Incarceration with Sentence Imposed of Less Than 1 Year** - Count prior prison, jail sentences or Department of Corrections/community corrections sentences where the non-suspended time imposed was less than one year. Count only sentences that occurred prior to the arrest date(s) of the offense(s) being sentenced.

Note: If a defendant received a non-suspended sentence of less than one year to be served concurrently with a sentence of more than one year, it should not be counted here. This factor should only be scored in cases where the defendant received a non-suspended sentence of less than one year separate and apart from any longer period of incarceration imposed.

7. **Prior Probation or Parole Revocation** - Count prior probation or parole revocations that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event. Only felony probation revocations should be scored.

Note: If the current sentencing event is part of a probation revocation proceeding, this factor should not be scored unless the offender has a prior revocation.

8. **Number of Prior Juvenile Delinquency or Youthful Offender Adjudications (Violation/Misdemeanor/Felony)** - Count all prior juvenile delinquency and Youthful Offender adjudications that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
9. **Possession/Use of a Deadly Weapon or Dangerous Instrument** - Count this factor if there was a connection other than the mere possession of a weapon between the presence of a deadly weapon (or dangerous instrument) and the commission of any of the offense(s) being sentenced at the current sentencing event. This factor should not be counted if the deadly weapon or dangerous instrument is merely “loot” or proceeds of a sale. For the purposes of completing the worksheets, a deadly weapon or dangerous instrument shall be defined pursuant to Sections 13A-1-2 and 13A-11-72.
10. **Injury to Victim** – Count this factor if a victim suffered physical injury or serious physical injury during the commission or flight from the offense. For the purposes of completing the worksheet, physical injury shall be defined pursuant to Section 13A-1-2 (12), Code of Alabama 1975 and serious physical injury shall be defined pursuant to Section 13A-1-2 (14), Code of Alabama 1975.

**Most Serious Offense at Conviction Ranking**

Burglary I – 275 points  
§13A-7-5

Burglary II – 70 points  
§13A-7-6

Theft of Property I – 58 points  
§13A-8-3

Receiving Stolen Property I – 58 points  
§13A-8-17

Theft of Property II – 46 points  
§13A-8-4

Receiving Stolen Property II – 46 points  
§13A-8-18

Burglary III – 45 points  
§13A-7-7

Forgery II – 44 points  
§13A-9-3

Possession of a Forged Instrument II – 42 points  
§13A-9-6

Possession/Use Credit/Debit Card – 39 points  
§13A-9-14

Unauthorized Use<sup>1</sup>/B&E Vehicle – 32 points  
§13A-8-11 (a)(4) & (b)

<sup>1</sup> Only includes felony Unauthorized Use of a Motor Vehicle, Section 13A-8-11, Code of Alabama 1975.

## **Worksheet # 2 - PROPERTY PRISON SENTENCE LENGTH WORKSHEET**

1. **Most Serious Conviction Offense** - The scorer should select only the most serious offense being sentenced at the current sentencing event. (See General Instructions.)
2. **Number of Additional Felony Convictions (Including Counts)** - The scorer should total all offenses being sentenced other than the most serious offense being sentenced at the present time. In the event of a multi-count indictment, all counts in which the defendant was found guilty or entered a guilty plea should be counted the same as separate convictions. This does not include prior convictions - they are counted elsewhere.
3. **Number of Prior Adult Felony Convictions** - Count all prior felony convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.
4. **Number of Prior Adult Felony Property Convictions** - Count only the number of prior felony property convictions that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event.

Note: These offenses should have been scored in # 3 also. These are counted again, because they are statistically significant independent of the total number of adult prior felony convictions.

5. **Prior Incarceration with Sentence Imposed of 1 Year or More** - Count prior prison, jail sentences or Department of Corrections/community corrections sentences where the non-suspended time imposed was one year or greater. Count only sentences that occurred prior to the arrest date(s) of the offense(s) being sentenced.

Notes: This should be counted each time a person enters the prison system, whether or not the person actually serves at least a year. As long as the non-suspended portion of the sentence was one year or longer at the time of admission, this should be counted.

This factor is not cumulative. For instance, if a defendant was sentenced to serve two separate non-suspended six month sentences, they should not be counted here. Only count those sentences where the non-suspended time imposed at one sentencing event was at least one year.

6. **Prior Probation or Parole Revocation** - Count prior probation or parole revocations that occurred prior to the arrest date(s) of the offense(s) being sentenced at the current sentencing event. Only felony probation revocations should be scored.

Note: If the current sentencing event is part of a probation revocation proceeding, this factor should not be scored unless the offender has a prior revocation.

7. **Possession/Use of a Deadly Weapon or a Dangerous Instrument and/or Injury to Victim** - Count this if the offender used or brandished a deadly weapon or dangerous instrument. This factor should not be counted if the deadly weapon or dangerous instrument is merely "loot" or proceeds of a sale. There should be a connection other than the mere possession of the deadly weapon or dangerous instrument for this factor to be scored. For the purposes of completing the worksheets, a deadly weapon or dangerous instrument shall be defined pursuant to Sections 13A-1-2 and 13A-11-72.

Count this factor if a victim suffered physical injury or serious physical injury during the commission or flight from the offense. For the purposes of completing the worksheet physical injury shall be defined pursuant to Section 13A-1-2 (12), Code of Alabama 1975

and serious physical injury shall be defined pursuant to Section 13A-1-2 (14), Code of Alabama 1975.

Additionally, this factor should be counted if the defendant enters a dwelling with a deadly weapon whether or not it was used or brandished during the commission of the offense.

8. **Acquired a Firearm During Offense** – Count this if a firearm was acquired during the commission of the offense(s) being scored at the current sentencing event.